

RECEIVED
CENTRAL FAX CENTER

NOV 10 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

OLSON, *et al.*

Serial No.: 10/083,336

Filed: 27 February 2002

For: RICIN VACCINE AND METHODS OF MAKING AND
USING THEREOF

Art Unit: 1652

Examiner: Rao, Manjunath

Atty. Dckt: 034047.016 (RIID 01-58)

PETITION FOR WAIVER UNDER 37 C.F.R. 1.183Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop: AF

Dear Sir:

The United States Army as represented by the Secretary of the Army, the Assignee of the total interest of the above-referenced patent application, hereby petitions that the requirement that a statement under 37 C.F.R. 1.48(a)(2) from Ross D. LeClaire be waived.

Submitted herewith is:

1. A Written Consent by the Assignee under 37 C.F.R. 1.48(a)(5)
2. A Statement under 37 C.F.R. 3.37(b)
3. A Declaration by Elizabeth Arwine indicating that
 - a. Ross D. LeClaire refuses to sign a statement under 37 C.F.R. 1.48(a)(2), and
 - b. The Assignee agrees with the inventorship determination conducted by Suzannah K. Sundby which found that Ross D. LeClaire is incorrectly listed as an inventor in the above-referenced patent application.

Please debit **Deposit Account No. 210-380**, Attorney Docket No. **034047.016 (RIID 01-58)** the amount of **\$130.00** for the petition fee under 37 C.F.R. 1.17(h). A duplicate sheet of this paper is enclosed.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to **Deposit Account No. 210-380**, Attorney Docket No. **034047.016 (RIID 01-58)**.

11/15/2004 NROCHA1 00000070 210380 10083336

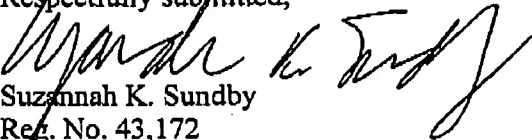
02 FC:1460 130.00 DA

SGRDC/223410.1

PATENT USSN: 10/083,336
Atty Dkt: 034047.016 (RIID 01-58)

If extensions of time under 37 C.F.R. §1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to **Deposit Account No. 210-380, Attorney Docket No. 034047.016 (RIID 01-58)**.

Respectfully submitted,


Suzannah K. Sundby
Reg. No. 43,172

Date: 10 November 2004
Smith, Gambrell & Russell, LLP
1850 M Street, NW, #800
Washington, DC 20036
Direct: 202-263-4332

Certificate Mailing or Transmission under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop: AF, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

On 10 November 2004, by Suzannah K. Sundby

Signed: 
